

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff

v.

No. 09-CR-30063-DRH

STEVEN H. MADDEN,

Defendant.

ORDER

HERNDON, District Judge:

Pending before the Court is defendant's pro se motion for reconsideration (Doc. 271). After reviewing the motion, the Court finds that it is more correctly described as a negotiation. Confident he is going to prevail on appeal of this Court's denial of his "weighty and considerable issues about [his] constitutional rights to Due Process of the Law Being Violated," the defendant offers to withdraw the appeal if the Court will simply give him credit for the one year and one day incarceration imposed in his revocation of his supervision in his counterfeiting case for testing positive for methamphetamine. The methamphetamine case led to the drug case for which he is currently incarcerated and was the subject of his two point reduction request.

His "motion" fails to address the simple fact that this Court utilized its discretion, in his reduction request, to refrain from granting that reduction request because of his failure to conduct himself in prison in a manner that demonstrates he is adjusting to a system of rules and abiding by those rules just

as a person on the outside of the prison system must live by a set of laws and live a law abiding life or face the consequences of not doing so. A motion for reconsideration is not a proper vehicle to negotiate with a judge as though the litigant holds superior odds over the ultimate outcome of an upcoming appeal. Mr. Madden should have used his motion to explain why he believed the court was legally incorrect in deciding the issue as he did.

Accordingly, the Court **DENIES** the motion for reconsideration (Doc. 271).

IT IS SO ORDERED.

Signed this 12th day of February, 2016.

 Digitally signed by
Judge David R. Herndon
Date: 2016.02.12
14:37:38 -06'00'



United States District Judge